

Appln No. 10/812,287

Amdt date March 17, 2005

Reply to Office action of November 17, 2004

REMARKS/ARGUMENTS

Claims 31-55 are pending in this application, of which claims 31 and 42 are independent. Claims 43-47 and 50 have been amended to correct a typographical error. Claims 53-55 have been added. The amendments and new claims add no new matter and find full support in the application as originally filed. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration and a timely indication of allowance.

Rejections Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 31-52 under 35 U.S.C. § 102(b) as allegedly being anticipated by Peppers (U.S. Patent No. 4,584,675) or Jeter (U.S. Patent No. 3,866,678.) Applicant respectfully traverses this rejection.

Claim 31 is directed to a drill pipe for an oil or gas well comprising "a generally cylindrical hollow drill pipe having a length; and a conductive coating connected to the drill pipe to define an electrical pathway that extends along at least a portion of the length of the drill pipe."

The Examiner contends that Peppers discloses a conductive coating connected to a drill pipe to define an electrical pathway that extends along at least a portion of the length of the drill pipe. The Examiner seems to contend that the pipe surface itself is the claimed conductive coating (see page 2, paragraph 2 "the reference teaches the limitations as claimed, including conductive coating (pipe surfaces).")

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Although the drill pipe 16 of Peppers is conductive, the Examiner does not identify and Peppers does not disclose, teach or suggest a separate conductive coating applied to the drill pipe of Peppers, or a separate conductive coating applied to the drill pipe of Peppers, which defines an electrical pathway that extends along at least a portion of the length of the drill pipe. As such, Peppers does not anticipate claim 31.

Similar to the Peppers reference, with respect to the Jeter reference, the Examiner contends that Jeter discloses a conductive coating connected to a drill pipe to define an electrical pathway that extends along at least a portion of the length of the drill pipe. Again similar to the Peppers reference, with respect to the Jeter reference, the Examiner seems to contend that the pipe surface itself is the claimed conductive coating (see pages 2-3, paragraph 2 "the reference teaches the limitations as claimed, including conductive coating (pipe surfaces).")

Although the drill pipe of Jeter is conductive, the Examiner does not identify and Jeter does not disclose, teach or suggest a separate conductive coating applied to the drill pipe of Jeter, or a separate conductive coating applied to the drill pipe of Jeter, which defines an electrical pathway that extends along at least a portion of the length of the drill pipe. As such, Jeter does not anticipate claim 31.

Claim 42 is directed to a method of communicating to downhole oil or gas well equipment comprising "providing a generally cylindrical hollow drill pipe having a length; and applying a conductive coating on the drill pipe to define an

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electrical pathway that extends along at least a portion of the length of the drill pipe."

Neither Peppers, nor Jeter disclose, teach or suggest "applying a conductive coating on the drill pipe to define an electrical pathway that extends along at least a portion of the length of the drill pipe," as specified in claim 42. As such, Peppers, and Jeter do not anticipate claim 42.

Claims 32-41 and claims 43-52 depend from claims 31 and 42, respectively. Claims 31 and 42 are now believed to be in condition for allowance over Peppers and Jeter. As such, Applicant submits that claims 32-41 and claims 43-52 are also allowable over Peppers and Jeter as being dependent from an allowable base claim and for the additional limitations they contain therein.

For example, claims 36 and 47 each recite a second conductive coating, which defines a second electrical pathway extending along at least a portion of the length of the drill pipe. Neither Peppers nor Jeter discloses such a second conductive coating. As such, for this additional reason, Pepper and Jeter do not anticipate claims 36 and 47.

Claims 39 and 50 each recite a plurality of conductive coatings, which each define an electrical pathway extending along at least a portion of the length of the drill pipe. Neither Peppers nor Jeter discloses such a plurality of conductive coatings. As such, for this additional reason, Pepper and Jeter do not anticipate claims 36 and 47. Accordingly, Applicant respectfully requests that the rejection

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of claims 31-52 over Peppers and Jeter under 35 U.S.C. § 102(b) be withdrawn.

Double Patenting

Claims 31-52 have been rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 1-3 and 16-18 of U.S. Patent No. 6,763,887. Submitted herewith is a terminal disclaimer, submitted to obviate this rejection. Accordingly, Applicants respectfully requests that the rejection of claims 31-52 under the judicially created doctrine of obviousness-type double patenting be withdrawn.

New Claims

New claims 53-55 have been added. Claims 53-54 and 55 depend from claims 31 and 42, respectively. Claims 31 and 42 are now believed to be in condition for allowance. As such, Applicant submits that claims 53-55 are also in condition for allowance as being dependent from an allowable base claim and for the additional limitations they contain therein.

In view of the above amendments and remarks, Applicant respectfully submits that claims 31-55 are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to

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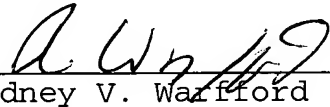
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contact the undersigned at the number indicated.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



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